

# Tribal Wilderness Research Needs and Issues in the United States and Canada

Dan McDonald  
Tom McDonald  
Leo McAvoy

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**Abstract**—This paper represents a dialogue between tribal wilderness managers and researchers on the primary research needs of tribal wilderness in the United States and Canada. The authors identify a number of research priorities for tribal wildlands. The paper also discusses some major issues and challenges faced by researchers conducting research in areas that are culturally sensitive to tribal members. Dialogue participants provide recommendations for those wishing to initiate research in and about tribal wildland areas.

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Tribal peoples in Canada and the United States had been managing their lands for eons before the arrival of settler populations, often in a state that resembles the present lands now protected as wilderness. Many government land managers are, in fact, examining indigenous practices in their continued efforts to return lands to the conditions that settlers found, and which shaped their ideas of wilderness. At the same time, tribal peoples themselves are regaining jurisdiction over portions of their traditional territories (Sanders 1990), and finding themselves managers of designated or de facto wilderness areas (McDonald 1995). A number of American Indian and First Nation tribes in the United States and Canada now manage tribal wilderness and wildland areas and ecological reserves (Stumpf 1999). Little biological or social science research has been conducted in or about these wildland areas, and there is a need for such study as these tribal wilderness areas grow in number and in importance to both tribal and nontribal members.

Recent treaty negotiations in Canada have resulted in increased aboriginal authority and control over wilderness recreational lands in British Columbia and the Northwest and Yukon Territories. For example, the Nisga'a people of northwestern British Columbia will soon have 1,992 square kilometers returned to them from provincial crown land, and a significant portion of that will be managed as wilderness or near-wilderness lands. Fifty other First Nations are presently in negotiation in British Columbia alone, and

many will see increased authority over wilderness lands. There is a need for research on the effects of management and co-management of these wilderness and ecological reserve areas (Berg 1990), especially on the efficacy of co-management by aboriginal peoples and either the federal or provincial governments.

The purpose of this paper is to engage tribal wilderness managers and wilderness researchers in a dialog about the primary research needs of tribal wilderness in the United States and Canada. This paper will describe some of the management issues that these tribal managers face, with a particular focus on those that may be unique to tribal wilderness areas. The paper will also discuss some major issues and challenges researchers face when conducting research in these culturally sensitive areas. It will provide guidance for those researchers willing to work with tribal communities to resolve these issues.

Managers from six tribal land management agencies were interviewed for this paper in an attempt to identify issues and research needs. All were in the northwest area of the continent, with five in Canada and one in the United States. The tribes vary in the degree of jurisdiction they exert over these lands, with only the Confederated Salish-Kootenai Tribes of Montana having complete management authority, in their Mission Mountain Wilderness on the Flathead Reservation. The Canadian tribes have greater or lesser control in comanagement arrangements with other governments, from the near sole authority of the Vuntut Gwitchin on the Yukon's Old Crow Flats, through the Queen Charlotte Island Haida and Kitlope valley Haisla watchmen programs, which coexist with government land managers, to the comanagement boards of the Kaska Dene in the northern Rockies of British Columbia and the Nuu-chah-nulth in Clayoquot Sound on Vancouver Island. In each of the Canadian cases, reestablishment of tribal land management has come as a result of land claims or modern treaty negotiations.

It is important to note that, for tribal land managers, these territories called wilderness by the settler population are thought of as homelands by the tribal peoples. The lands are full of evidence of long-standing continuous relationships between the tribe and the environment. A short walk in from any beach on Haida or Nuu-chah-nulth territory, one encounters culturally modified trees, often centuries old. The homeland of the Kaska Dene or Vuntut Gwitchin is full of sacred sites or markers of family-owned hunting territories. The Salish-Kootenai land still bears vegetative patterns reflective of centuries of controlled burns. In each case, their lands are far from untrammelled in tribal eyes and humans are certainly not intruders into nature (Morrison 1995).

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Dan McDonald is Chair, First Nation Studies, Malaspina University-College, Nanaimo, British Columbia, CANADA, V9V 1G8, e-mail: mcdonld@mala.bc.ca L. Tom McDonald is Wildland Recreation Program Manager, Confederated Salish & Kootenai Tribes, P.O. Box 278, Pablo, MT 59855 U.S.A. Leo McAvoy is Professor of Recreation, Park and Leisure Studies, University of Minnesota, 1900 University Ave. SE., Minneapolis, MN, 55455 U.S.A., e-mail: mcavo001@tc.umn.edu

To simplify the following discussion, examples from the Mission Mountain Tribal Wilderness, managed by the Confederated Salish-Kootenai Tribes, will be used to illustrate a number of the points presented. For most issues, examples could be as easily drawn from any of the other tribal wilderness areas studied.

## Issues for Tribal Land Managers

When tribal land managers speak of their stewardship role, a notion of both physical and spiritual protection of the land emerges (McDonald & McAvoy 1996). While the physical protection of places is common to all land managers, spiritual protection is of specific importance to tribal managers (Jostad and others 1996). Tribal societies have always believed that spiritual obligation to the land is as important as physical protection. This obligation may take the form of ritual observance on the land at sacred sites, of continual conduct of the hunt of game species, and of the return to the land of the remains of plant or animal harvest after human use. These centuries old practices are considered as vital by tribal communities for continued health of the land, and of the people. A major factor in establishing the Mission Mountains Tribal Wilderness (MMTW) was the importance of the Mission Mountains to the spiritual well-being of the Salish-Kootenai people. The MMTW Management Plan and the Tribal Wilderness Ordinance establishing the Wilderness reflect this in their policy statements (Confederated Salish-Kootenai Tribes 1982). The religious practices of the Salish-Kootenai people—conducting vision quests, hunting and gathering medicinal roots and herbs—continue today in the wilderness, and these practices are being passed on to the next generation.

Tribal land managers, many trained in Western resource management schools, also speak of the need to respect traditional land management and tenure systems that have often continued to function even under the imposed land system of the settler governments (Clayoquot Sound Scientific Panel 1995). Many of these land tenure systems are organized around certain families, who have delegated responsibility to care for particular hunting areas or sacred sites. In most cases, their land management roles coexisted with their role as harvesters, unlike the Western system, which separates these functions. This integrated system, where hunters monitored their own areas, depended not on career managers but on family responsibility to the larger community.

The collective emphasis rather than individualistic emphasis of most nontribal communities also influences tribal land management. Tribal communities have always had decision mechanisms that focus on the collective, but this search for collective consent is increasingly difficult in a modern context. The unity of perspective gained by shared experiences of education, spiritual practice and pursuits on the land is no longer so evident. Communities now reflect some of the diversity that challenges decision-makers in the larger, dominant society, but they show a continued desire to make the majority of decisions collectively, rather than leaving them to individuals. There are even pressures on the very definition of community, as there are differing views about who is entitled to participate in decisions. Some tribal

communities have coexisting forms of governance, with one reflecting Western style elected municipal government and the other a continuance of a hereditary system.

In the Confederated Salish-Kootenai Tribes, many decisions on land management are made by the elected tribal council. Input from tribal programs is provided through an interdepartmental review process. Two separate cultural committees (one Salish and the other Kootenai) also provide input. Tribal members can provide input to district representatives on the Tribal Council or at public hearings. Some cases (such as the establishment of a tribal-members-only primitive area) are decided by a referendum by resident tribal members.

Since many tribal communities are also impoverished ones, there is also considerable pressure on land managers to ensure that wilderness areas provide direct economic benefit to the community. These lands have provided resources for these communities for generations, so it is not unreasonable that they would continue to look to these lands for economic benefit. Most tribal communities want to continue hunting, fishing, agriculture and gathering on wilderness lands, even if they deny such opportunity to nonmembers of their community. In many Canadian tribal communities, “country food” continues to account for a majority of the people’s diet (Collings, 1997). Many communities also want a large stake in the tourist economy that often results from the designation of wilderness and, in some cases, have legislated or negotiated preferential treatment for tribal members in hiring, contact bidding and business development.

For example, in the Confederated Salish-Kootenai Tribes (SKCT), hunting and fishing by nontribal members is regulated by tribal ordinance. This ordinance covers what can and cannot be hunted. The regulations were created with the societal, cultural, religious and economic interests of the Tribes as the driving force. In the designated primitive areas of the Reservation, commercial logging is restricted to small-scale tribal member operations only. In the wilderness and primitive areas, hunting is limited to tribal members only. Currently, the SKCT operate under a “tribal member preference” hiring and contracting policy that gives members an extra advantage in tribal government employment and contracting. The employment hiring policy is to strive for 100% member staff, which means that if a qualified (for the position) member is competing with a nonmember for a position, the member is hired. Contracting for goods or services allows a tribal member contractor or vendor to match any nonmember bid and receive the tribal business. Outfitting and guiding on the Reservation is limited to tribal member-owned businesses, with the exception of scenic cruises on Flathead Lake. The Tribal Wilderness Area is off-limits to any commercial uses, but the Wilderness Buffer Zone lands are open to tribal member horseback outfitters.

Tribal land managers also have to contend with territories that did not have exclusive usage or ownership in pre-settler times. Many adjacent tribes would often share territories or at least allowed long-standing usage by other peoples. These neighboring peoples want to have continuing or renewed access to lands now under tribal management, even though the traditional systems of reciprocity and relationship may have changed. Of course the nonaboriginal community also desires access to many of these areas,

and tribal land managers are wrestling with how to accommodate these desires and still fulfill their responsibilities to their own community.

An example of this is the Confederated Salish-Kootenai Tribes' (CSKT) policy of working closely with neighboring Columbia Basin tribes on preserving traditional places, subsistence uses and resources within the aboriginal territory of the tribes. Typical examples are working with hydropower facilities operations and mitigation plans and with the USDA Forest Service's projects and overall forest planning. Within the CSKT reservation, the Tribes have reserved certain landscape areas for their exclusive uses, including fishing, camping, solitude and spiritual activities. Currently, one-sixth of their land base is reserved in this manner, and the larger sites are referred to as primitive areas.

Much of the nonaboriginal use pressure, especially in more remote areas, comes from commercial operators and sport hunters and fishers. Many tribal communities have serious ethical concerns about the very notion of hunting for sport, yet they recognize the growing economic impact of nature-based tourism (Canadian National Aboriginal Tourism Association 1999). The issue for tribal land managers is how to accommodate this desire from the nonaboriginal community without compromising either the needs of tribal members or the beliefs that underpin the tribal approach to land management (Collings 1997). The Confederated Salish-Kootenai Tribes have a long and active fight going with the State of Montana to retain control over hunting and fishing activities within their Reservation. Because of private land holdings within the reservation, the Tribes and the state government have entered into a cooperative agreement for fish and wildlife regulation on the Reservation, which gives the Tribes overriding authority to set fish and game policy. The more sensitive items of current tribal policy are: the Tribes have reserved exclusive jurisdiction to regulate members on treaty-right fish and game harvest; the Tribes have reserved for members only the exclusive rights to hunt big game on the Reservation; and the Tribes have reserved all commercial fishing activities for members. The Tribes also permit and license all recreation, fishing and bird hunting on their lands.

Tribal land managers are also often charged with cultural interpretation of both their lands and the people who live on them. Interpreting culture is always a tricky business, but it is even more fraught with danger in tribal communities. Many nonaboriginal visitors to perceived primitive areas expect "authentic" tribal culture to be a part of that experience and their notion of authentic is usually rooted in settler reports of early contacts. Tribal communities are modern communities and do not wish to be held up to a standard of modernity that differs from other cultures. So the issue becomes one of how to portray relationship to the land in a way that does not make culture a commodity or portray it as a frozen artifact. Tourist expectations in a way shape the experience, but the land managers must wrestle with how to change that expectation without diminishing the enjoyment of the visit.

The Confederated Salish-Kootenai Tribes have long been involved with nontribal interest in gathering tribal knowledge of traditional uses of plants, animals and sites and religious practice. They have learned to be very cautious about releasing knowledge to nonmembers who could commercially or otherwise benefit from this knowledge, as has

happened in the past. Currently, the Tribes have two cultural committees of elders who review and make recommendations regarding any cultural information or material that is being considered for public dissemination. The Tribes also have established the "Peoples Center," a facility aimed at promoting, preserving and enhancing Salish and Kootenai culture. It is a museum facility with a learning and programming center, exhibit gallery, gift shop and Native education tours. These programs provide interpretation of the Tribes' cultural and natural history, tribal wildlife and natural resource management, and contemporary tribal members' lifestyles.

The last common issue raised by tribal wilderness managers was the need to preserve knowledge that is presently held by the elders of the community about the land. To pass this knowledge on to the next generation, there is a need for younger tribal members to accompany elders onto the land. The elders, in turn, need to find a land that continues to resemble the one they know, so that they can pass on knowledge of animal behavior or plant habitat. At the same time, as Western science and land management becomes more interested in traditional ecological knowledge, there is real concern in tribal communities about protection of the intellectual property rights of this community-held knowledge. Tribal land managers have to deal with who owns knowledge and who can consent to it being shared, as well as identify who it will be passed on to and thus who they will consult in the future.

The Confederated Salish-Kootenai Tribes address this preservation and passing of knowledge by striving to maintain areas in natural conditions, where traditional uses can be taught and experienced. The wilderness and primitive areas on the Reservation are classic examples of sites which can be utilized to transfer elder knowledge to younger generations. Several traditional campsites like the Agnes Vanderburg Cultural Camp are dedicated for the use of tribal elders to teach language, crafts, customs and lore of the Salish and Pond d'Oreilles peoples throughout the summer season.

A good example of inappropriate taking of knowledge occurred 25 years ago at the beginning of the Vanderburg Camp. A research botanist, under the pretense of documenting traditional uses of native plants for the cultural committees, copyrighted and published under his name the research gathered from tribal elders. This was a direct violation of the Tribes' intellectual property rights and is an example of why tribes are so cautious on the issue of tribal knowledge.

## Researcher Context on Tribal Lands

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Many of these issues facing tribal land managers are both immediate and pressing, and research would only aid in their resolution. However, many of these issues would also be of interest to researchers in general. If research is to be done on tribal lands, there are some important contextual issues that need to be taken into account. A number of scholars have made recommendations for researchers working with aboriginal peoples (Association of Canadian Universities for Northern Studies 1997; Conti 1997, Deloria 1991, Green 1993, Marker 1997; McDonald and McAvoy 1997, Mihesuah 1993, Peacock 1997, Wax 1991).

Researchers have to remember that the research occurs in a legal, political and cultural context when communities are still engaged in reversing the colonial intrusion of settler governments into their tribal lives. This process has often relied heavily on legal action and political resistance and, in addition to having external effects on the relationship of the tribe and the settler society, it may have also had the internal effect of politicizing and dividing the community over a variety of issues. Communities can become suspicious of outside researchers as agents of "colonial intrusion" and can view tribal members who assist the researcher as collaborators (Graham 1997). Many communities are increasingly concerned about how research findings may be used in legal proceedings. In land claim areas, research funding is increasingly directed toward producing materials that can be used as evidence.

Research proposals within the Confederated Salish-Kootenai Tribes' jurisdictional aboriginal territory are reviewed for potential conflicts with current and future litigation, in regard to water rights, hunting and fishing uses, other subsistence uses, and basic tribal governing authority. For example, a recent research proposal review identified conflicts on the potential outcome of diminished tribal member uses of national forest land, and the effect of this on aboriginal hunting and fishing rights.

Tribal communities have a very real desire to control both the gathering and the use of data (Nason 1997). In the past, many images of tribal communities have been flawed and caused considerable damage to the communities. Cultural misinterpretation has been identified as a major issue by both tribal researchers and leaders (Deloria 1991, Wax 1991). There is also the issue of intellectual property and use of cultural material by outsiders without any benefit accruing to the community. Communities are no longer interested in being the "informants" of the past and would rather provide the coresearchers and researchers of the future. The Confederated Salish-Kootenai Tribes prefer to conduct research in-house or have a tribal program become an integral part or partner in the research, with a very detailed agreement or contract in place to protect sensitive information or use of research information. One example of the current in-house research is the Tribes' Natural Resource Department, which averages 100 staff persons in several environmental divisions. The majority of the work force performs research tasks, which could have been performed by outside contract researchers.

Access to tribal areas is also an issue, both in a physical sense and in a legal sense. Physically, many tribal areas in Canada that have jurisdiction on their land are in remote areas with no summer road access. The logistics of doing research, especially in an era of shortened fieldwork, can restrict research results. Legally, the incidence of tribes implementing research licensing/permit systems is on the rise (Nason 1997). This formal process of community consent is seen as crucial by most tribes, especially since some communities have been overrun by researchers in the past. Researchers now must get formal permission from tribal councils and from cultural committees before conducting research on tribal lands and with tribal peoples. In 1987, the Confederated Salish-Kootenai Tribes initiated a data collection permit system to protect tribal interests on the Reservation. Many data-collecting procedures could impact on

tribal resources or conflict with ongoing management programs. Yet that same data collected might provide insight into better resource management. Overall, the permit system is designed to regulate scientific collection activities and to ensure all data collected is approved by and available to the Tribes. Permit requests are reviewed by the Tribes' natural resources, legal, and cultural departments and by the Tribal Council.

A more difficult area for many researchers will be the reconciliation of the cultural frameworks in the settler and tribal societies. The epistemology of indigenous peoples differs in many ways from the culture of science. Approaches seen as valid for a Western trained researcher may seem intrusive, disrespectful, unnecessary or harmful to tribal leaders and elders (Graham 1997). The reliance on oral transmission and lived experience in traditional ecological knowledge may seem suspect to the outside researcher. The possibility of miscommunication as two systems of knowing come together is very real (Conti 1997).

Two examples from the Confederated Salish-Kootenai Tribes may help illustrate the need for reconciliation of different epistemologies. The Mission Mountains Tribal Wilderness is home to a grizzly bear population. Information is needed about the behavior, habitat and food sources of these bears to ensure appropriate management that will preserve the grizzly as a lasting inhabitant of the Wilderness. A typical method of researching grizzlies is to catch them in a cable snare, administer drugs to immobilize them, and then install a radio collar to monitor their movements. Tribal members objected to this approach, saying it was not respectful of the bear. So, grizzlies in the Wilderness are now physically observed from a distance by a researcher with a spotting scope. In another case, researchers were interested in having tribal members describe a Native American land ethic. Rather than use a mailed survey, which the Tribal Natural Resource Department believed would be intrusive, the researchers used a qualitative approach, consisting of in-depth interviews with tribal members who were interested in this issue and willing to share their views with a researcher.

The other framework that may challenge researchers is related more to rights and relationships in a community. Traditional knowledge is often owned by a family, and can not be accessed or used without permission and very clear arrangements for payment (Wax 1991). Much of the data found in communities are qualitative in nature and, like attributable qualitative data in the larger society, are subject to acknowledgment and copyright. The Confederated Salish-Kootenai Tribes have created their own historic preservation office and set of guidelines in their "Cultural Resources Protection Ordinance" to deal with cultural data, data requests and land disturbance issues. The office also gathers additional traditional knowledge for the Tribes' long term use and dissemination. Researchers working with tribal entities will have to learn how information can be obtained, what information is off limits, and what payment or show of acknowledgment is expected.

Finally, researchers will have to become accustomed to constant scrutiny of their research efforts while in a tribal community. Such research can now be thought of as a process of constant consultation (Clayoquot Sound Scientific Panel 1995). Communities may decide to suspend the

study if they feel that the research methods or results may not be acceptable (Association of Canadian Universities for Northern Studies 1997).

## Conclusions

It is important for wilderness researchers and managers to consider the issues of race and ethnicity (Floyd 1998). When dealing with tribal wilderness areas, researchers and managers need to develop a deeper understanding of the worldview, values and priorities of aboriginal peoples regarding wilderness and wildland areas.

Scholars conducting research in these areas must adopt methods that are sensitive to the tribal members and their spiritual and cultural traditions, and to the cultural differences that exist between tribal members and nontribal members. This can include how wildlife used for research are treated in the research process; how tribal wilderness users are contacted or questioned about their use of the wilderness; and the rationale for declaring some tribal wilderness areas used for traditional/spiritual purposes off limits for nontribal members.

The participants in this dialogue session offered a number of research priorities and issues for discussion during the session. Some of the priorities discussed included: a better understanding of how aboriginal people define or view the concept of "wilderness"; the importance of the wildlands land base to tribal members; value and sense of place related to wildlands; recreation access of nontribal members to tribal wilderness, including the expectations of both tribal and nontribal members on use of these areas; effective tourism models where tribal members are interacting with visitors for recreational use of tribal wildland areas; the cultural experience desired by nontribal member wilderness users; access to sacred sites in both tribal and nontribal wilderness; and, effective interpretation and communication methods (trailhead signs) to reach both tribal and nontribal wilderness users. The research issues discussed included: language barriers between researchers and some tribal members; how researchers can understand all the issues and concerns since tribes are so different and unique; who should be conducting this type of research, academics or land managers or tribal members trained in research methods; who should be funding this research, tribes or the Federal Government or foundations; how researchers can do their work and not exploit tribal communities; and how to deal with the lack of trust in the tribal community.

Any research on tribal wilderness areas must be conducted with respect for the cultural values and traditions of the aboriginal peoples who claim these special areas. Of primary concern is the cultural value attributed to them by tribal members. One example of that value is the ordinance that created the Mission Mountain Tribal Wilderness of the Confederated Salish-Kootenai Tribes in Montana, which states that "Wilderness has played a paramount role in shaping the character of the people and the culture of the Salish and Kootenai Tribes; it is the essence of traditional religion and has served the Indian people of these tribes...in countless ways for thousands of years" (Confederated Salish-Kootenai Tribes 1982).

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